

REMARKS

Applicant has amended claims 8-13, 15, and 17, and cancelled claims 7 and 16, and added claim 18. The originally-filed specification, claims, abstract, and drawings fully support the amendments. New claim 18 is supported at, e.g., page 5, 3rd paragraph, page 14, 3rd paragraph, page 15, 3rd and 4th paragraphs of the specification and Figs. 6A-6C and 13, and is not new matter.

Applicant respectfully traverses the 35 U.S.C. § 112, 2nd paragraph rejection of claims 7-13 and 15-17. In order to clarify the claim language, and to move this case forward, Applicant has amended claims 8-13, 15, and 17, cancelled claims 7 and 16, and added claim 18, thereby correcting the cited informalities, and rendering the rejections moot.

Applicant respectfully traverses the 35 U.S.C. § 102(a) rejection of claims 7-10, 12-13, and 15-17 over Menache (US 2004/0017313 A1). New independent claim 18 recites, among other things, a testing apparatus for a vehicle collision prediction apparatus comprising a radar mounted on a vehicle, a dummy object spaced away from the radar, and a reflection plate attached to the dummy object; wherein the reflection plate has a first amount of reflection, and the dummy object has a second amount of reflection; the second amount of reflection being less than the first amount of reflection. Amended independent claim 15 recites a test method for testing a vehicle collision prediction apparatus or a component thereof by using a testing apparatus comprising mounting a radar on a vehicle, and providing a dummy object spaced away from the radar, with a reflection plate attached to the dummy object; wherein the reflection plate

has a first amount of reflection, and the dummy object has a second amount of reflection; the second amount of reflection being less than the first amount of reflection.

Menache, in contrast, discloses at paragraphs [0034] and [0054], and depicts in Fig. 1, a system wherein radar wave signals are emitted from transmitters, i.e., active RF tags 12, mounted on a dummy object 18; and received by sensors 14 spaced away from the dummy object. Menache neither discloses a transmitter spaced away from an object nor suggests reversing the location of the transmitters, i.e. tags, to a location spaced away from the dummy object, such as, e.g., on a vehicle. Menache also neither discloses providing reflectors on the dummy object nor suggests providing receivers at the spaced-away location of the transmitters. Accordingly, the above features recited in claims 15 and 18 are not anticipated by Menache. Amended claims 8-10, 12-13 also are not anticipated by Menache at least because of their dependence from claim 18. Amended claim 17 also is not anticipated by Menache at least because of its dependence from claim 15.

Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection of claim 11 over Menache in view of Aksyuk et al. (US 2004/0245888 A1). The Examiner argues that Aksyuk teaches a deformable reflection plate and a drive apparatus for deforming the reflection plate being attached to the dummy object. Office Action, page 3, paragraph 3 (citing paragraph [0019] of Aksyuk). Claim 11, however, is dependent from claim 18 and incorporates all of the elements of independent claim 18. Aksyuk does not disclose the above features recited in the independent claim 18, missing from Menache, e.g., a transmitter spaced away from an object; reversing the location of the transmitters, i.e. tags, to a location spaced away from the dummy object, such as, e.g., on a vehicle;

providing reflectors on the dummy object; or providing receivers at the spaced-away location of the transmitters. The combination of Aksyuk and Menache, therefore, does not teach or suggest all of the features recited in claim 11, and at least for this reason does not establish a prima facie case of obviousness. M.P.E.P. § 2143.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application, withdrawal of the rejections, and timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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